

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

1/22/2007 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR 04-00134SOM
CR 04-00372SOM

CASE NAME: USA vs. (01) Todd Takata
USA vs. Todd Hisao Takata

ATTYS FOR PLA: Michael Kawahara

ATTYS FOR DEFT: Richard Hoke
Roy Kawamoto (USPO)

JUDGE: Susan Oki Mollway

REPORTER: Debra Chun

DATE: 1/22/2007

TIME: 1:30 - 2:05

COURT ACTION: EP:

CR 04-00134SOM - Sentencing to the Indictment; Government's Motion for Departure Downward in Sentencing -

CR 04-00372SOM - Sentencing to the Superseding Information; Government's Motion for Departure Downward in Sentencing -

Defendant Todd Takata present.

Court adopts the PSR and the USPO's recommendation, and they are placed under seal.

Memorandum of plea agreement is accepted by the Court.

The Court found that the defendant qualifies for the "safety valve" provisions as set forth in 18 USC 3553(f)(1)-(5).

Allocution by the defendant.

Government's Motion for Departure Downward in Sentencing - Granted.

ADJUDGED:

Imprisonment: 24 Months.

Supervised Release: 3 Years.

Special Assessment: \$200.00 (\$100.00 as to each count).

CONDITIONS:

- ▶ That the defendant shall abide by the standard conditions of supervision.
- ▶ That the defendant not commit any crimes, federal, state, or local (mandatory condition).
- ▶ That the defendant not possess illegal controlled substances (mandatory condition)
- ▶ That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 8 valid drug tests per month during the term of supervision, unless there is a positive drug test, in which event the maximum shall increase to up to one valid drug test per day.
- ▶ That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ▶ That the defendant shall cooperate in the collection of DNA as directed by the probation officer.
- ▶ That the defendant shall participate in and comply with substance abuse treatment which includes drug and alcohol testing in a program approved by the Probation Office. The defendant is to refrain from the possession and/or use of alcohol while participating in substance abuse treatment.
- ▶ That the defendant provide the Probation Office access to any requested financial information.
- ▶ That the defendant is prohibited from incurring credit charges and lines of credit without the approval of the Probation Office.
- ▶ That the defendant is prohibited from the possession and use of alcohol.

JUDICIAL RECOMMENDATIONS: 1) Sheridan; 2) Lompoc; 3) Drug Treatment; 4) Vocational and Educational Training; 5) Alcohol Treatment.

Mittimus stayed until 2/26/07.

Defendant to self surrender @ 10:00 a.m. 2/26/07 at the facility designated by the BOP.
The time is the time at the facility.

Defendant advised of his right to appeal.

CR 04-00372SOM - Government's Motion to Dismiss the Superseding Indictment -
Granted.

Submitted by: Toni Fujinaga, Courtroom Manager.